



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Conduct Public Hearing on March 17, 2004 to consider the Planning Commission's recommendation of approval to the City Council for a Rezoning for 5952 E. Pine Street. The Rezoning is from San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial. The request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the city

MEETING DATE: March 17, 2004

PREPARED BY: Community Development Department

RECOMMENDED ACTION: That the City Council approve the Planning Commission's recommendation of approval for a Rezoning for 5952 E. Pine Street. The Rezoning will be from San Joaquin County AU-20 to City of Lodi M-2, Heavy Industrial. That the City Council also approves the recommendation to certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the City of Lodi.

BACKGROUND INFORMATION: The 10-acre Galantine property is located on the eastern edge of the City limits. The property is bare except for an older farmhouse and barn adjacent to Pine Street. The property is currently fallow although it was farmed in past years. Most of the properties in the surrounding area are in the City limits and are developed with a variety of industrial or commercial uses. Of the properties on the west side of the Central California Traction Line, there are only 4 properties in this area that are not in the City limits. These properties include the Galantine property, a small residential property to the south, and the two properties owned by the Lodi Memorial Cemetery immediately to the west. The cemetery properties have chosen to stay in the County, probably because they are already substantially developed and their type of activity does not currently require City services. The residential property to the south has also not expressed any interest in annexing. The property is already developed with a single-family residence and there is limited potential to further develop because of its small size and limited access. The area to the east, across the railroad line is in the County and is primarily in agricultural use. There is a large fruit packing building and a winery northeast of the Galantine property that are in the County

The two cemetery properties to the west will be somewhat isolated from the County except for a narrow connection through the triangular shaped residential property south of the Galantine property. Ordinarily this might be an issue regarding the ability of the County to service the two properties. In this particular situation, it should not be a significant problem. The area is at the edge of the City limits, with the County located just west across the CCT line. The County would only have to cross a few hundred feet of the City to get to the cemetery properties. Additionally, because property is a cemetery, the demand for service for either the sheriff or fire protection should be very low. Even now, the fastest way to get to the property is by way of Victor Rd./Hwy.12 and Guild Ave., both, which are in the City limits.

APPROVED:

John Dixon Flynn
John Dixon Flynn, City Manager

The Galantine property is currently shown on the City's General Plan and is designated HI, Heavy Industrial. The recommended rezoning from AU-20 to M-2, Heavy Industrial will make the zoning consistent with the General Plan. The zoning will allow the property to be developed with industrial uses consistent with surrounding development. The subsequent annexation of the property will allow the property to be developed with City utilities and services, as opposed to County services and a private well, septic system and storm drain pond. The proposal is a reasonable request and will permit the orderly development of the property consistent with the surrounding area.

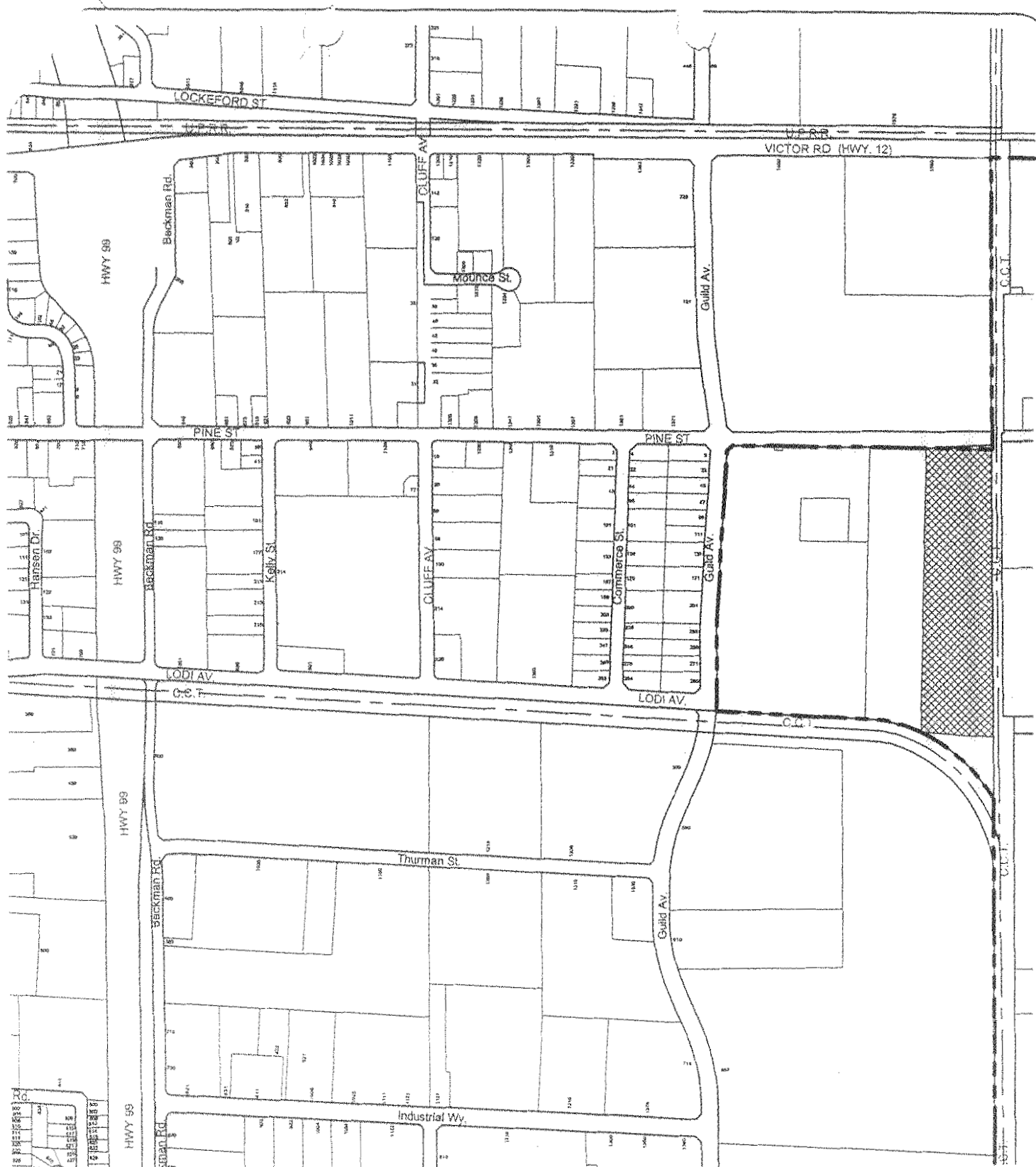
FUNDING: None

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Konradt Bartlam
Community Development Director

KB/DM/lw

Attachments



VICINITY MAP

Galantine Annexation
 Negative Declaration
 1552 East Pine Street
 ND-03-13



MEMORANDUM, City of Lodi, Community Development Department

To: Planning Commission
From: Community Development Department
Date: January 28, 2004
Subject: The request of Richard Galantine for the Planning Commission's recommendation of approval to the City Council for an Annexation and Rezoning for 5952 East Pine Street. The rezoning is from AU, Agriculture-Urban Reserve (County), to M-2, Heavy Industrial (City). The request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for this project.

SUMMARY

The proposed annexation is a 10-acre parcel currently in the County. The property is bounded by Pine Street on the north, the Central California Traction Line (CCT) on the east, a residential parcel on the south and a vacant parcel owned by the neighboring Lodi Memorial Cemetery on the west. The cemetery properties and the residential property to the south are in the County and have elected not to be included in the annexation. The area north of the Galantine property is in the City limits.

The proposed annexation will bring the property into the City limits. This, coupled with a change in zoning from the current County zoning of AU, Agriculture-Urban Reserve to a City zoning of M-2, Heavy Industrial will allow the applicant to develop the property with industrial uses.

BACKGROUND

The 10-acre Galantine property is located on the eastern edge of the City limits. Most of the properties in the surrounding area are in the City limits and are developed with a variety of industrial or commercial uses. Of the properties on the west side of the CCT, there are only 4 properties in this area that are not in the City limits. These properties include the Galantine property, a residential property to the south, and the two properties owned by the Lodi Memorial Cemetery immediately to the west. The cemetery properties have chosen to stay in the County, probably because they are already developed on their larger parcel and that their type of activity does not require City utilities. The residential property to the south has also not expressed any interest in annexing into the City. The property is already developed with a single-family home and there is limited potential to develop further because of limited street access. The area to the east, across the traction line, is in the County and is primarily in agricultural use. There is a large fruit packing shed and a winery just northeast of the Galantine property that is also in the County. These properties will remain in the County.

Mr. Galantine would like to develop the property with industrial uses similar to surrounding uses. He could develop in the County but he would be much more limited in what types of uses he could have on the property. The County could not provide public water, sanitary sewage or storm drainage. If he can develop in the City, he can connect to the necessary public utilities and also obtain City police and fire protection.

ANALYSIS

The proposed annexation of the Galantine property to the City of Lodi appears to be a reasonable extension of the City limits. Currently, the CCT line forms the eastern boundary of the City both north and south of the subject property. The only unusual aspect of the proposal is that the 2 cemetery properties to the west and the residential property to the south will remain in the County, creating a pocket of County land almost encompassed by the City. Ordinarily this might be an issue regarding the ability of the County to provide service to the properties, particularly fire and police protection. In this situation, it should not be a significant problem. The area is at the edge of the City limits, and the County provides police and fire service to properties just across the railroad tracks on Pine Street and Sargent Road, including a large fruit packing operation just east of the Galantine property. It would not be a significant problem to drive a few hundred feet through the City to service a County property. Additionally, because the properties are an existing cemetery, the potential demand for County services is limited. There are a few buildings on the property, but otherwise the land is planted in grass and trees interspersed with gravesites. The same is true for police service. The cemetery does not generate a significant demand for Sheriff's service because of the nature of the land use. Even now, if there was a call for a sheriff's squad car, the fastest way to the cemetery is probably by way of City streets. It would be reasonable for the Galantine property to be able to develop in the City with full City utilities and street improvements as opposed to developing in the County with private water, sewer and storm drainage.


The rezoning to M-2, Heavy Industrial is a reasonable request. The zoning will match the existing zoning on surrounding City properties and allow development consistent with surrounding uses. The property has a current City General Plan designation of H-I, Heavy Industrial and the City has planned the area for industrial development.

The City has reviewed the project for potential environmental impacts. The process requires that potential areas of impact are identified and a level of significance assessed. This project was found to have no significant impacts. Documents to attest to this are provided in the attached documents. A Negative Declaration (ND-03-13) has been determined to be adequate environmental documentation for this project.

RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the City Council of the request of Richard Galantine for his requested Annexation and rezoning for 5952 East Pine Street, and a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project. The recommendations shall be subject to the conditions listed in the attached resolution.

Respectfully Submitted,



David Morimoto
Senior Planner

Reviewed and Concur,



Konrad Bartlam
Community Development Director

CITY OF LODI
PLANNING COMMISSION
Staff Report

MEETING DATE: January 28, 2004

APPLICATION NO: Galantine Annexation, AX-03-01
Prezone No. Z-03-02

REQUEST: The request of Richard Galantine for the Planning Commission's recommendation of the approval to the City Council for an Annexation and Prezoning for 5952 East Pine Street. The property has a City General Plan designation of H-I, Heavy Industrial and a County zoning of A-U, Agricultural-Urban Reserve. The request is to prezone the property to M-2, Heavy Industrial to make it consistent with the General Plan designation.

LOCATION: 5952 East Pine Street (APN 049-090-13).

APPLICANT: Richard Galantine
901 South Cherokee Lane
Lodi, CA 95240

PROPERTY OWNER: Richard Galantine

Site Characteristics:

The Property is a 10-acre parcel that is currently vacant except for an older residence adjacent to Pine Street. The property appears to have been farmed in the past but is currently not planted with any crops.

General Plan Designation: H-I, Heavy Industrial (City) and L-I, Limited-Industrial (S.J Co.)
Zoning Designation: A-U, Agricultural-Urban Reserve (S.J. Co. designation)
Property Size 10 acres.

Adjacent Zoning and Land Use:

North: M-2, Heavy Industrial on the north side of Pine Street. Dart Containers has a large manufacturing facility northwest of the site, with plans for a possible expansion. There is also some vacant industrial acreage.

South: A-U, Agricultural-Urban Reserve (S.J. Co.) and M-2, Heavy Industrial. There is a 1.7-acre pie-shaped parcel directly south of the Galantine property that is in the county and zoned A-U. The property has a single-family residence. Further south, across the Central California Traction Line (CCT) is a large industrial warehouse and other industrial uses.

East: AG-40, General Agriculture (S.J. Co.), directly east across the CCT railroad and I-L, Limited Industrial (S.J. Co.) to the northeast. On the

east, the land uses are agriculture, with scattered residences. To the northeast, just outside the City limits is a large fruit packing operation that fronts on Pine Street and north of that a winery that fronts on Victor Road/Hwy 12 east.

West: M-2, Heavy Industrial, P-F, Public Facility (SJC) and A-U, Agriculture-Urban Reserve (SJC). The two properties immediately to west of the subject property are owned by the Lodi Memorial Cemetery. The western most property contains the cemetery and related buildings and is zoned P-F (Public Facilities) by the County. The other property located between the Galantine property and the cemetery is vacant and will be used for future expansion of the cemetery and is zoned A-U. Further to the west are parcels in the City limit that are developed with various industrial and commercial uses.

Neighborhood Characteristics:

The Galantine property is at the eastern edge of Lodi. The CCT that runs along the east side of the property generally forms the eastern edge of the City limits. Properties to the west are generally in the City and properties east of the CCT line are generally outside of the City. The subject area is one of the last pockets of County land west of the tracks. The adjoining two cemetery properties to the west and a small residential property to the south are the only properties west of the tracks that will remain in the County if the Galantine property is annexed. These properties have chosen not to be included in the annexation. Except for the cemetery properties and the small residential property to the south, the remaining properties west of the track are zoned industrial and most of the properties are developed with some type of industrial use. The area east of the tracks is generally in agricultural use except for the packing warehouse and the winery to the northeast.

The Galantine property was once a small farm with a residence. It does not appear that the land is being actively farmed and the land is fallow. The applicant would like to annex the property into the City, connect to City water, sewer and storm drainage, and develop the property with commercial/industrial uses.

ENVIRONMENTAL ASSESSMENTS:

Negative Declaration ND-03-13 has been prepared in accordance with CEQA. This document adequately addresses possible adverse environmental effects of this project. No significant impacts are anticipated.

PUBLIC HEARING NOTICE:

Legal Notice for the Annexation and Rezoning was published on January 17, 2004. A total of 6 notices were sent to all property owners of record within a 300-foot-radius of the subject property.

RECOMMENDATION:

Staff recommends that the Planning Commission approve the request of Richard Galantine for a 10-acre annexation to the City of Lodi and the rezoning of the property to M-2, Heavy Industrial.

ALTERNATIVE PLANNING COMMISSION ACTIONS:

- Deny the Request
- Approve the Request
- Continue the Request

ATTACHMENTS:

1. Vicinity Map
2. Negative Declaration
3. Draft Resolution

MINUTES
LODI CITY PLANNING COMMISSION
CARNEGIE FORUM
305 WEST PINE STREET
LODI, CALIFORNIA

DRAFT

WEDNESDAY

January 28, 2004

7:00 P.M.

The Planning Commission met and was called to order by Chairman Mattheis.

Commissioners Present: Eddie Aguirre, Dennis Haugan, Randall Heinitz, Gina Moran, David Phillips, Dennis White, and Chairman. Mattheis **ROLL CALL**

Commissioners Absent: None

Others Present: Konradt Bartlam, Community Development Director, Mark Meissner, Associate Planner, and Lisa Wagner, Secretary.

PUBLIC HEARINGS

The request of Richard Galantine for the Planning Commission's recommendation of the approval to the City Council for an Annexation and Rezoning for 5952 East Pine Street. Community Development Director Bartlam presented the item to the Commission. The property had a City General Plan designation of H-I, Heavy Industrial and a County zoning of I-L, Limited Industrial. The request was to Prezone the property to M-2, Heavy Industrial to make it consistent with the General Plan designation. The subject property was a 10-acre parcel located just east of the Lodi Memorial Cemetery. The request for annexation would be going through the LAFCO process once it is approved by the City Council. When the property is developed it will be an infill project surrounded by other industrial uses. Staff was recommending approval of the requests.

Commissioner Heinitz asked if the cemetery would remain in the County? Mr. Bartlam replied that it would remain in the County since they were reluctant to be annexed into the city.

Hearing Opened to the Public

No one came forward to speak on the matter.

Hearing Closed to the Public

The Planning Commission on motion of Commissioner Heinitz, Haugan second voted to approve the request of Richard Galantine and to recommend approval to the City Council for the Annexation and Rezoning for 5952 East Pine Street by the following vote:

AYES: Commissioners: Aguirre, Haugan, Heinitz, Moran, Phillips, and Chairman Mattheis

NOES: Commissioners:

ABSENT: Commissioners: White

ABSTAIN: Commissioners

NEGATIVE DECLARATION NO. 03-13

FOR

Galantine Annexation

APPLICANT: Richard Galantine

PREPARED BY:

CITY OF LODI
Community Development Department
P.O. BOX 3006
LODI, CA 95241

October ,2003

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CITY OF LODI

The Galantine Annexation

PROJECT DESCRIPTION

The Galantine Annexation is a proposal to annex, amend the general plan land use designation, and pre-zone a 10-acre property on the south side of East Pine Street, just west of the Central California Traction Line. More specifically, the property is located at 5952 E. Pine Street, at the eastern edge of Lodi, Assessor Parcel Number: (049-090-13).

At present, the subject parcel is in San Joaquin County adjacent to the eastern boundaries of the Lodi City limits. The property has a San Joaquin County General Plan designation of I-L, Limited Industrial Zone, a zone intended to provide for light manufacturing, warehousing, wholesaling, construction contracting and distribution. The County Zoning designation of AU, Agriculture-Urban Reserve is intended to retain in agriculture those areas planned for future urban development in order to facilitate compact, orderly urban development and to assure the proper timing and economical provision of services and utilities.

In order to develop within the City of Lodi, the applicant has applied for an Annexation and for Pre-zoning. When annexed to the City of Lodi, the property will retain the existing City General Plan designation of HI, Heavy Industrial and will be Pre-zoned to the City zoning designation of M-2, heavy industrial, to match the General Plan designation. At present the applicant has not indicated any specific development plan for the property. It is likely that the property will develop with some type of industrial use similar to the other properties in the surrounding area.

ENVIRONMENTAL CHECKLIST FORM

1. **Project title:**
The Galantine Annexation
2. **Lead agency name and address:**
City of Lodi-Community Development Department
Box 3006, Lodi, CA 95241
3. **Contact person and phone number:**
David Morimoto
Senior Planner
(209) 333-6711
4. **Project location:**
San Joaquin County, CA.,
5952 E. Pine Street (APN) 049-090-13
Lodi, CA 95240.
5. **Project sponsor's name and address:**
Richard Galantine
901 S. Cherokee Lane
Lodi, CA 95240
6. **General plan designation:** (existing S.J. Co.) I-L, Limited Industrial Zone. (existing City) M-2, Heavy Industrial.
7. **Zoning designation:** (existing S.J. Co.) AU, Agriculture-Urban Reserve. Proposed (City) M-2, heavy-industrial.
8. **Description of project:** See "Project Description" section on page 2.
9. **Surrounding land uses and setting:** The subject property has been used for farming and contains a residence and related out buildings. Currently the property does not appear to be actively farmed and has been cleared of all vines or other crops.

The area surrounding the subject property has a variety of land uses. Immediately to the west is Lodi Memorial Cemetery, an established cemetery. The cemetery owns approximately 27.25 acres, 20 acres that is developed and 7.16 acres adjacent to the subject property for future expansion. This facility is also outside the City limits and has not expressed any interest in annexing to the City. Further to the west are numerous industrial building. North of the subject site is Dart Containers, a Styrofoam product manufacturing facility. They also have undeveloped land for future expansion. On the south is a small triangular shaped parcel that is vacant and bordered by the Central California Traction Line on two sides. South across the rail line is a large warehouse and other industrial buildings and properties. On the east, the CTT line borders the property. Properties east of the traction line are primarily in agricultural use with scattered residences. Northeast of the project site are two large fruit packing operations with extensive packing and warehouse facilities.

10. **Other public agencies whose approval is required:**
San Joaquin County Local Agency Formation Commission (LAFCO)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a ("Potentially Significant Impact" by the checklist on the following pages.

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Land Use and Planning | <input type="checkbox"/> Transportation/Circulation | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Population and Housing | <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Geological Problems | <input type="checkbox"/> Energy and Mineral Resources | <input type="checkbox"/> Aesthetics |
| <input type="checkbox"/> Water | <input type="checkbox"/> Hazards | <input type="checkbox"/> Cultural Resources |
| <input checked="" type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Recreation |
| | | <input type="checkbox"/> Mandatory Findings of Significance |

ENVIRONMENTAL IMPACTS:

I. LAND USE AND PLANNING.

Would the proposed:

- | | Potentially Significant Impact | Potentially Significant Unless mitigation Incorporated | Less than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Conflict with general plan designation or zoning? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with applicable environmental plans or policies adopted by agencies with jurisdiction over the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be incompatible with existing land use in the vicinity? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Affect agricultural resources or operations (e.g., impacts to soils or farmlands, or impacts from incompatible land uses)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

II. POPULATION AND HOUSING.

Would the proposal:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cumulatively exceed official regional or local population projections? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace existing housing, especially affordable housing? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

III. GEOLOGIC PROBLEMS.

Would the proposal result in or expose people to potential impacts involving:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Fault rupture? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Seismic ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Seiche, tsunami, or volcanic hazard? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

e) Erosion, changes in topography or unstable soil conditions from excavation, grading or fill?

☐ ☐ ☐ ☒

f) Subsidence of land?

☐ ☐ ☐ ☒

g) Expansive soils?

☐ ☐ ☐ ☒

h) Unique geologic or physical features?

☐ ☐ ☐ ☒

IV. WATER.

Would the proposal result in:

Potentially Significant Impact Potentially Significant Unless mitigation Incorporated Less than Significant Impact No Impact

a) Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?

☐ ☐ ☐ ☒

b) Exposure of people or property to water related hazards such as flooding?

☐ ☐ ☐ ☒

c) Discharge into surface waters or other alteration of surface water quality (e.g., temperature, dissolved oxygen or turbidity)?

☐ ☐ ☐ ☒

d) Changes in the amount of surface water in any water body?

☐ ☐ ☐ ☒

e) Changes in currents, or the course or direction of water movements?

☐ ☐ ☐ ☒

f) Change in the quantity of ground water, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavation or through substantial loss of ground water recharge capability?

☐ ☐ ☐ ☒

g) Altered direction or rate of flow of groundwater?

☐ ☐ ☐ ☒

h) Impacts to groundwater quality?

☐ ☐ ☐ ☒

i) Substantial reduction in the amount of groundwater otherwise available for public water supplies?

☐ ☐ ☐ ☒

V. AIR QUALITY.

Would the proposal:

a) Violate any air quality standard or contribute to an existing or projected air quality violation?

☐ ☐ ☐ ☒

b) Expose sensitive receptors to pollutants?

☐ ☐ ☐ ☒

c) Alter air movement, moisture, or temperature, or cause any change in climate?

☐ ☐ ☐ ☒

d) Create objectionable odors?

☐ ☐ ☐ ☒

VI. TRANSPORTATION/CIRCULATION.

Would the proposal result in:

a) Increased vehicle trips or traffic congestion?

☐ ☐ ☐ ☒

b) Hazards to safety from design feature, (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

☐ ☐ ☐ ☒

c) Inadequate emergency access or access to nearby uses?

☐ ☐ ☐ ☒

d) Insufficient parking capacity onsite or offsite?

☐ ☐ ☐ ☒

e) Hazards or barriers for pedestrians or bicyclists?

☐ ☐ ☐ ☒

f) Conflicts with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

☐ ☐ ☐ ☒

g) Rail, waterborne or air traffic impacts?

☐ ☐ ☐ ☒

VII. BIOLOGICAL RESOURCES.

Would the proposal result in impacts to:

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Endangered, threatened or rare species or their habitats (including but not limited to plants, fish, insects, animals, and birds)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Locally designated species (e.g., heritage trees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Locally designated natural communities (e.g., oak forest, coastal habitat, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Wetland habitat (e.g., marsh, riparian, and vernal pool)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Wildlife dispersal migration corridors?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ENERGY AND MINERAL RESOURCES.

Would the proposal:

a) Conflict with adopted energy conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Use nonrenewable resources in a wasteful and inefficient manner?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in the loss of availability of a known mineral resource that would be of future value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HAZARDS.

Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances (including, but not limited to, oil, pesticides, chemicals, or radiation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Possible interference with an emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) The creation of any health hazard or potential health hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Exposure of people to existing sources of potential health hazards?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Increased fire hazard in areas with flammable brush, grass, or trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

X. NOISE.

Would the proposal result in:

a) Increase in existing noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of people to severe noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XI. PUBLIC SERVICES.

Would the proposed have an effect upon, or result in a need for new or altered government services in any of the following areas:

a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other government services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XII. UTILITIES AND SERVICE SYSTEMS.

Would the proposal result in a need for new systems or supplies, or substantial alterations to the following utilities:

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
a) Power or natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Local or regional water treatment or distribution facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Sewer or septic tanks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Storm water drainage?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Solid waste disposal?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Local or regional water supplies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIII. AESTHETICS.

Would the proposal:

a) Affect a scenic vista or scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a demonstrable negative aesthetic effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Create light or glare?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. CULTURAL RESOURCES.

Would the proposal:

a) Disturb paleontological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disturb archaeological resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have the potential to cause a physical change, which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XV. RECREATION.

Would the proposal:

a) Increase the demand for neighborhood or regional parks or other recreational facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Affect recreation opportunities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Potentially Significant Unless mitigation Incorporated	Less than Significant Impact	No Impact
XVI. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or pre-history?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XVII. EARLIER ANALYSES.

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in earlier EIR or negative declaration. Section 15063(c)(3)(D).

Earlier analyses used.

June 1991. City of Lodi General Plan EIR. This area was identified in the Lodi General Plan and discussed in the Environmental Impact Report SCH# 9020206

- a) Mitigation measures. See Attached Summary for discussion.

SUMMARY OF POTENTIAL IMPACTS

Responses to items checked with something other than "No Impact".

I. LAND USE AND PLANNING

As stated in the project description the project is a change in jurisdiction from San Joaquin County to the City of Lodi, and establishing City land use designations. The Community Development Department finds that the proposed actions of the City will not have a physical effect on the environment. We do however; acknowledge that the actions anticipate future development of the property for industrial development. When the City receives application for development of this parcel it would be a new project and would therefore be subject to a separate and more detailed environmental review.

Items (c) and (d). The property in question is currently designated HI, Heavy Industrial, in the City's General Plan. The rezoning to M-2, Heavy Industrial will bring the property into conformance with the General Plan. This designation will also be consistent with the County General Plan, the County zoning designation of AU, Agriculture-Urban Reserve and the County zoning of I-L, Limited Industrial. These designations anticipate industrial development taking place in an orderly, compact

manner when needed public services and facilities are available. The subject property is adjacent to developed properties on three sides and fronts on a paved public street. Utility extensions and further street improvements will be made when the property is developed in the future.

The project will convert nine-acres of agricultural land to a non-agricultural use. One acre has already been developed with the existing farmhouse and related structures. Although this represents a loss of prime agricultural land, the loss of this nine-acres is not considered a significant loss of agricultural land. The property in question is bordered on three sides by non-agricultural development and on the forth side by a railroad track. Because of this location, the property is already isolated from other farming operations. Also, because of the small size of the property, economically farming the parcel would be very difficult. In fact, it appears that the parcel has not been actively farmed for a number of years.

All of the land in and around Lodi is prime agricultural land. Consequently, it is not possible to develop any property in Lodi without removing farmland. Over the years Lodi has implemented a policy of developing incrementally out from our core to avoid leapfrog development that would prematurely impact agriculture. The result has been that Lodi has very clear edges to our City limits. On the eastern edge of Lodi, the Central California Traction Line forms the City limit line and the General Plan boundary for most of the City. Lodi's policy of contiguous development along with a 2% residential growth limit has made Lodi one of the most compact cities in the Central Valley. This has reduced the premature conversion of farmland and helped mitigate the loss of prime agricultural land.

II. POPULATION AND HOUSING

The project will have no impact on population or housing.

III. GEOLOGIC PROBLEMS

The Project area is located in the San Joaquin Valley portion of the Central Valley of California. A sequence of sedimentary rocks up to 60,000 feet thick has filled the valley. Basement rocks composed of meta-sediments, volcanic, and granites underlie these deposits. The Midland Fault Zone is the nearest seismic area, and lies approximately 20 miles west of Lodi. Based upon the inactive status of this fault, the area has not been identified as a Special Studies Zone within the definitions of the Alquist-Priolo Act. Appropriate construction standards will be utilized to conform to Seismic Zone 3 requirements. There are no significant impacts.

IV. WATER

At present, the applicant does not have a specific use for the property. Given the General Plan and Zoning designation for the property, it will probably develop with industrial uses. Depending on the type of industrial development, it is possible that when developed, the 10 acres could result in less water usage then if the property were used for agricultural purposes. When a specific development plan is submitted for the property, a

project specific environmental review will be conducted. The City does not anticipate any problem providing adequate water to the property.

V. AIR QUALITY

Annexation, amending the general plan land use designation, and rezoning of this property will not have an effect on the environment. The San Joaquin Valley Air Pollution Control District (SJVAPCD) was consulted in this regard and they have confirmed that the proposed project will not have an impact on the environment.

The future development of the project site may cause a small decrease in ambient air quality standards and increase air emissions. Chapter 15, Air Quality, of the City of Lodi General Plan Environmental Impact Report states that the City of Lodi will coordinate development project review with the San Joaquin Valley Air Pollution Control District (SJVAPCD) in order to minimize future increases in vehicle travel and to assist in implementing any indirect source regulations adopted by the SJVAPCD.

In order to determine the significance of potential air quality impacts we have utilized the SJVAPCD "Guide for assessing and mitigating air quality impacts." According to this document, we have determined that the project falls within the "Small Project Analysis Level (SPAL)," and does not require further air quality analysis. Although the project does not involve any development at this point, the City of Lodi will implement impact-reducing measures prescribed by the San Joaquin Valley Unified Air Pollution Control District in order to reduce the potential impact from fugitive dust (PM-10) due to earth moving and other construction activities. The "Regulation VIII control measures" are listed as follows:

- All disturbed areas, including storage piles, which are not being actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizer/suppressant, covered with a tarp or other suitable cover or vegetative ground cover.
- All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions using water or chemical stabilizer/suppressant.
- All land clearing, grubbing, scraping, excavation, land leveling, grading, cut & fills, and demolition activities shall be effectively controlled of fugitive dust emissions utilizing application of water or by presoaking.
- With the demolition of buildings up to six stories in height, all exterior surfaces of the building shall be wetted during demolition.
- When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions and at least six inches of freeboard space from the top of the container shall be maintained.
- All operations shall limit or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. *(The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions.) (Use of blower devices is expressly forbidden.)*

- Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
- Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site and at the end of each workday.
- Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

By implementing the measures above, the temporary impacts from construction (primary impacts) on air quality will be reduced to less than significant levels.

In addition, the City is reducing impacts from vehicle emissions (secondary impacts) by implementing programs for alternate transportation. Programs such as the City's Dial-A-Ride system, which is a door-to-door service; or the Grape Line, which is a fixed route transit system; or the City's Bicycle Transportation Master Plan; or even the recent introduction of Amtrak rail service to the City's Multi-Modal station will help to reduce vehicle emissions. The City's programs along with the programs at the Federal, State, and County levels will help to reduce vehicle emissions created by this project to less than significant levels.

VI. TRANSPORTATION/CIRCULATION

Additional vehicle trips will affect transportation patterns relative to existing traffic loads and street capacity in the immediate project area. In order to reduce impacts from additional traffic, "The City shall review new developments for consistency with the General Plan Circulation Element and the Capital Improvements Program. Those developments found to be consistent with the Circulation Element shall be required to pay their fair share of traffic impact fees. Those developments found to be generating more traffic than that assumed in the Circulation Element shall be required to prepare a site-specific traffic study and fund needed improvements not identified in the capital improvements program in addition to paying their fair share of the traffic impact fees." The traffic impact fee will be used to finance future improvements such as traffic signals and street widening projects for older intersections and streets congested by new development.

When the property is developed, the builder will be required to install all necessary street improvements along the Pine Street frontage, including curb, gutter and sidewalk and to make all necessary street dedications.

VII. BIOLOGICAL RESOURCES

Development of the project site is subject to the payment of fees in accordance with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan.

The proposed project is consistent with the San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), as amended, as reflected in the conditions of project approval for this proposal. Pursuant to the Final EIR/EIS for the San Joaquin county Multi-Species Habitat Conservation and Open Space Plan (SJMSCP), dated November 15, 2000, and certified by the San Joaquin Council of Governments on December 7, 2000, implementation of the SJMSCP is expected to reduce impacts to biological resources resulting from the proposed project to a level of less-than-

significant. That document is hereby incorporated by reference and is available for review during regular business hours at the San Joaquin Council of Governments (6 S. El Dorado St., Suite 400/Stockton, CA 95202) or online at: www.sjcog.org.

VIII. ENERGY AND MINERAL RESOURCES

Development of the project site will require review by the Building Division of the Community Development Department, who will ensure that the construction adheres to provisions of 2001 Title 24, Part 6 California's Energy Efficiency Standards for Residential and Nonresidential Buildings. The Energy Efficiency Standards for Residential and Nonresidential Buildings were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. New standards were adopted by the Commission in 2001 as mandated by Assembly Bill 970 to reduce California's electricity demand. The new standards went into effect on June 1, 2001. Construction under these standards should eliminate wasteful and inefficient use of nonrenewable resources.

In addition, development of the site is not expected to result in the loss of availability of any known mineral resource that would be of future value to the region and the residents of the State. There are no known mineral deposits within the area. The soil in the area is a sandy loam type with hardpan approximately 6 to 8 feet beneath the surface. There is no indication that valuable minerals are located within the general area. No impacts associated within the loss of minerals are expected because of the project.

IX. HAZARDS

There are no known natural or man-made hazards existing on the site. All future development will comply with all local, State and Federal safety regulations for both construction and operation of any business. The structures will be built to standards of the Uniform Building Code and the Uniform Fire Code.

X. NOISE

Given the industrial nature of the area, the future development of the property should not significantly affect adjacent properties. There are no sensitive receptors in the neighborhood and there are a variety of existing industrial uses surrounding the property. Additionally, the property is bordered on two sides by railroad tracks. Any future business will be required to comply with the City's Noise regulations.

XI. PUBLIC SERVICES

The change from County jurisdiction to City jurisdiction will mean that the City will provide all necessary public services, including police and fire service and the maintenance of public facilities and streets. Adequate police and fire service is available to the property. When the property is developed, the developer will be required to construct all required street improvements. The City will then provide ongoing maintenance. The Citywide Development Impact Mitigation Fee schedule was adopted to insure that new development generates sufficient revenue to maintain specified levels of service in Lodi. In addition, the Lodi Unified School District has adopted a fee per

square foot that is intended to mitigate the cost of providing school services to new development.

Page 9-5 of the General Plan Policy Document states that the City shall add personnel, equipment, or facilities necessary to maintain a minimum three (3) minute travel time for fire calls. Page 9-6 of the Policy Document goes on to state that the City shall also strive to maintain a staff ratio of 3.1 police officers per 1,000 population with response times averaging three (3) minutes for emergency calls and 40 minutes for non emergency calls. Impact fees are calculated on new development based on use and density to generate enough revenue to preserve adequate service levels, thereby mitigating potential adverse impacts on governmental services to less than significant levels.

XII. UTILITIES AND SERVICE SYSTEMS.

The General Plan EIR points out on page 10-2 that at the time the General Plan was prepared in 1989, there was a design treatment capacity of 6.2 MGD. A planned (and later completed) expansion increased capacity to 8.5 MGD in 1991. Assuming that residential growth was to continue at the planned two (2) percent annual rate, and that flows would increase at a proportionate rate, the City's White Slough Water Pollution Control Facility (WSWPCF) has adequate capacity for the life of the 20 year plan. In fact, residential growth has not reached the two (2) percent mark since the plan was adopted. Over the last five- (5) years, growth has averaged 1.63%. This being the case, there is estimated to be excess carrying capacity at the WSWPCF, enough to mitigate any impacts of the new development to less than significant levels.

The General Plan EIR, page 10-3 outlines the City's storm water collection, distribution, and disposal system. In Lodi, storm water is discharged to the Mokelumne River and the Woodbridge Irrigation District (WID) Canal. The project area's storm drainage will flow to the C-Basin drainage basin. The C-Basin was engineered with a capacity to handle storm water runoff from a 48-hour, 100-year storm. Storm runoff from the development of the project site will not impact the City's existing drainage basins.

Page 10-1 of the General Plan EIR explains that the water supply for the entire City is provided by a groundwater aquifer, tapped into by a system of interconnected City wells. According to Lodi standards, one water well shall be maintained per each 2,000 population. New wells are drilled as necessary to provide an adequate supply commensurate with growth. At the time the General Plan was drafted in 1987, water demand stood at 13.7 MGD. In 1991, it had grown to 14.1 MGD. According to estimates prepared in 1991, development provided for by the General Plan would create demand for approximately 7.8 MGD of water, or 67 percent more than the current amount.

As stated previously in this initial study, due to the affect of the City's Growth Management Program, growth has not reached the levels anticipated in 1991, reducing the anticipated per capita consumption of water. In addition, increased water conservation efforts by the City beginning in 1995 have also reduced the per capita consumption of water to less than expected levels. With 26 water wells currently in operation there is estimated to be a sufficient supply of water.

Considering the aforementioned mitigating factors, any impacts on the water supply created because of the Galantine Annexation/reorganization are reduced to less than significant levels.

XIII. AESTHETICS.

Development of the project area would not affect a scenic vista or scenic highway because there are no known or recognized scenic views or highways in or immediately around the project area.

XIV. CULTURAL RESOURCES.

Annexation and the establishment of land use regulations will not create a physical change of the project site. As stated many times in this document, by establishing land use regulations for the property there will be a potential for development at which time will be separately required to be reviewed under CEQA. The Community Development Department will review any proposed future development for its impact on cultural and archaeological values or resources. The property has been farmed for many years. It is unlikely that any paleontological or archaeological artifacts survived the continuous cultivation of the property. If during future construction, artifacts are revealed, work will be stopped and a field study conducted.

XV. RECREATION.

The future development of the project site will not increase the population of Lodi, and will not create an increase in the demand for recreational opportunities. The City's Parks Master plan adopted in January of 1994 has taken into account the recreational needs of Lodi, and has included the project area and its demand in its projections. The Parks Master Plan is a 15-year plan that identifies improvements to existing parks and new park areas throughout Lodi including a neighborhood park less than ¼ mile to the northwest of the project site. Continued progress with the implementation of this plan is anticipated to provide parks and recreational opportunities at no less than a satisfactory level. There are no existing recreational opportunities on this property.

DETERMINATION:

On the basis of this initial evaluation:

- ☐ I find that the proposed project WILL NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets' if the effect is a "potentially significant impact" or "potentially significant unless mitigated."
- ☐ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project

Signature: _____

Date: _____

Printed Name: David Morimoto

For: City of Lodi

RESOLUTION NO. P.C. 04-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LODI
RECOMMENDING APPROVAL OF THE REQUEST OF RICHARD GALANTINE FOR
PREZONING Z-03-02 TO THE LODI CITY COUNCIL.

WHEREAS, the Planning Commission of the City of Lodi has heretofore held a duly noticed public hearing, as required by law, on the requested Prezoning in accordance with the Government Code and Lodi Municipal Code Chapter 17.84, Amendments;

WHEREAS, the property is located at 5952 East Pine Street (APN 049-090-13);

WHEREAS, the project proponent is Richard Galantine, 901 S. Cherokee Lane, Lodi, CA. 95240;

WHEREAS, the property has a zoning designation of A-U, Agriculture-Urban Reserve (San Joaquin County);

WHEREAS, all legal prerequisites to the approval of this request have occurred.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Lodi as follows:

1. Negative Declaration File No. ND-03-13 has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided there under. Further, the Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in this Resolution.
2. It is found that the parcel to be prezoned is the parcel located at 5952 East Pine Street (APN 049-090-13).
3. It is found that the requested prezoning of M-2, Heavy Industrial is not in conflict with adopted plans or policies of the General Plan of the City and will serve sound Planning practice.
4. It is further found that the parcel of the proposed rezoning is physically suitable for the development of an industrial development.

Dated: January 28, 2004

I hereby certify that Resolution No. 04-10 was passed and adopted by the Planning Commission of the City of Lodi at a meeting held on January 28, 2004, by the following vote:

AYES: Commissioners: Aguirre, Haugan, Heinitz, Moran, Phillips, White, and Chairman Mattheis

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST:



Secretary, Planning Commission

ORDINANCE NO. ____

AN ORDINANCE OF THE LODI CITY COUNCIL AMENDING
THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND
THEREBY PREZONING THE PARCEL LOCATED AT 5952
EAST PINE STREET (APN 049-090-13) FROM SAN JOAQUIN
COUNTY A-U, AGRICULTURAL URBAN RESERVE TO M-2,
HEAVY INDUSTRIAL

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

Section 1. The Official District Map of the City of Lodi adopted by Title 17 of the Lodi Municipal Code is hereby amended as follows:

The parcel located at 5952 East Pine Street (APN 049-090-13) is hereby prezoned as follows:

10-acre parcel - San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial, as shown on the Vicinity Map, on file in the office of the City Clerk.

Section 2. The alterations, changes, and amendments of said Official District Map of the City of Lodi herein set forth have been approved by the City Planning Commission and by the City Council of this City after public hearings held in conformance with provisions of Title 17 of the Lodi Municipal Code and the laws of the State of California applicable thereto.

Section 3 - No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 4 - Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

Section 5. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

Section 6. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2004

LARRY D. HANSEN
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held March 17, 2004, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2004, by the following vote:

AYES: COUNCIL MEMBERS –

NOES: COUNCIL MEMBERS –

ABSENT: COUNCIL MEMBERS –

ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
Interim City Attorney

RESOLUTION NO. 2004-52

A RESOLUTION OF THE LODI CITY COUNCIL CERTIFYING
THE NEGATIVE DECLARATION ND-03-13 AS ADEQUATE
ENVIRONMENTAL DOCUMENTATION FOR THE PREZONE
AND INITIATION OF ANNEXATION OF PROPERTY LOCATED AT
5952 EAST PINE STREET, LODI

WHEREAS, public hearings were held by the Planning Commission and City Council on January 28 and March 17, 2004, respectively, on the following described project:

Prezoning and Initiation of Annexation of ten acres located at 5952 E. Pine Street (APN 049-090-13). Prezoning from San Joaquin County AU, Agricultural Urban Reserve, to M-2, Heavy Industrial.

WHEREAS, a Negative Declaration (ND-03-13) has been prepared in compliance with the California Environmental Quality Act of 1970, as amended, and the Guidelines provided thereunder. Further, the Planning Commission has reviewed and considered the information contained in said Negative Declaration with respect to the project identified in its Resolution No. P.C. 04-10; and

WHEREAS, it is the Planning Commission's recommendation that City Council approve its finding that the Negative Declaration is adequate environmental documentation.

NOW, THEREFORE, BE IT RESOLVED that the City Council has reviewed all documentation and hereby certifies the Negative Declaration as adequate environmental documentation for this project located at 5952 E. Pine Street.

Dated: March 17, 2004

I hereby certify that Resolution No. 2004-52 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 17, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard, Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

RESOLUTION NO. 2004-53

A RESOLUTION OF THE LODI CITY COUNCIL FOR APPLICATION
TO THE SAN JOAQUIN COUNTY LOCAL AGENCY FORMATION
COMMISSION IN THE MATTER OF THE GALANTINE
ANNEXATION/REORGANIZATION, INCLUDING THE DETACHMENT
OF CERTAIN TERRITORY WITHIN THE AREA PROPOSED FOR
ANNEXATION TO THE CITY OF LODI

=====

WHEREAS, this proposal is made pursuant to the Local Government Reorganization Act; and

WHEREAS, the nature of the proposed change of organization is the annexation to the City of Lodi of an area comprising a ten-acre parcel more or less adjacent to the City limits located at 5952 East Pine Street; and withdrawal of said ten acres from the Mokelumne Fire District and the Northern San Joaquin County Water Conservation District, located within the area to be annexed to the City of Lodi (APN 049-090-13), as described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, the subject area proposed to be annexed to the City of Lodi and detached from the Mokelumne Fire District and the Northern San Joaquin County Water Conservation District is uninhabited; and

WHEREAS, no new districts are proposed to be formed by this reorganization; and

WHEREAS, the reasons for this proposal are as follows:

(1) The uninhabited subject area is within the urban confines of the City and will generate service needs substantially similar to that of other incorporated urban areas which require municipal government service;

(2) Annexation to the City of Lodi of the subject area will result in improved economics of scale in government operations while improving coordination in the delivery of planning services;

(3) The residents and taxpayers of the County of San Joaquin will benefit from the proposed reorganization as a result of savings to the County by reduction of County required services in unincorporated but urban oriented area;

(4) The subject area proposed to be annexed to the City of Lodi is geographically, socially, economically, and politically part of the same urban area of which the City of Lodi is also a part;

(5) The subject area is within the Lodi Sphere of Influence; and

(6) Future inhabitants in the subject area will gain immediate response in regard to police and fire protection, unlimited City garbage and trash collection service, street lighting service, a modern sewer system, other municipal services, and improvement of property values.

NOW, THEREFORE, BE IT RESOLVED by the Lodi City Council that the San Joaquin County Local Agency Formation Commission is hereby requested to approve the proposed "Galantine Annexation," which includes annexation of ten acres more or less, and detachment from the Mokelumne Fire District and the Northern San Joaquin County Water Conservation District as described in Exhibit A attached hereto. This is all subject to the aforementioned terms and conditions.

Dated: March 17, 2004

=====

I hereby certify that Resolution No. 2004-53 was passed and adopted by the City Council of the City of Lodi in a regular meeting held March 17, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hitchcock, Howard,
Land, and Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

CITY OF LODI

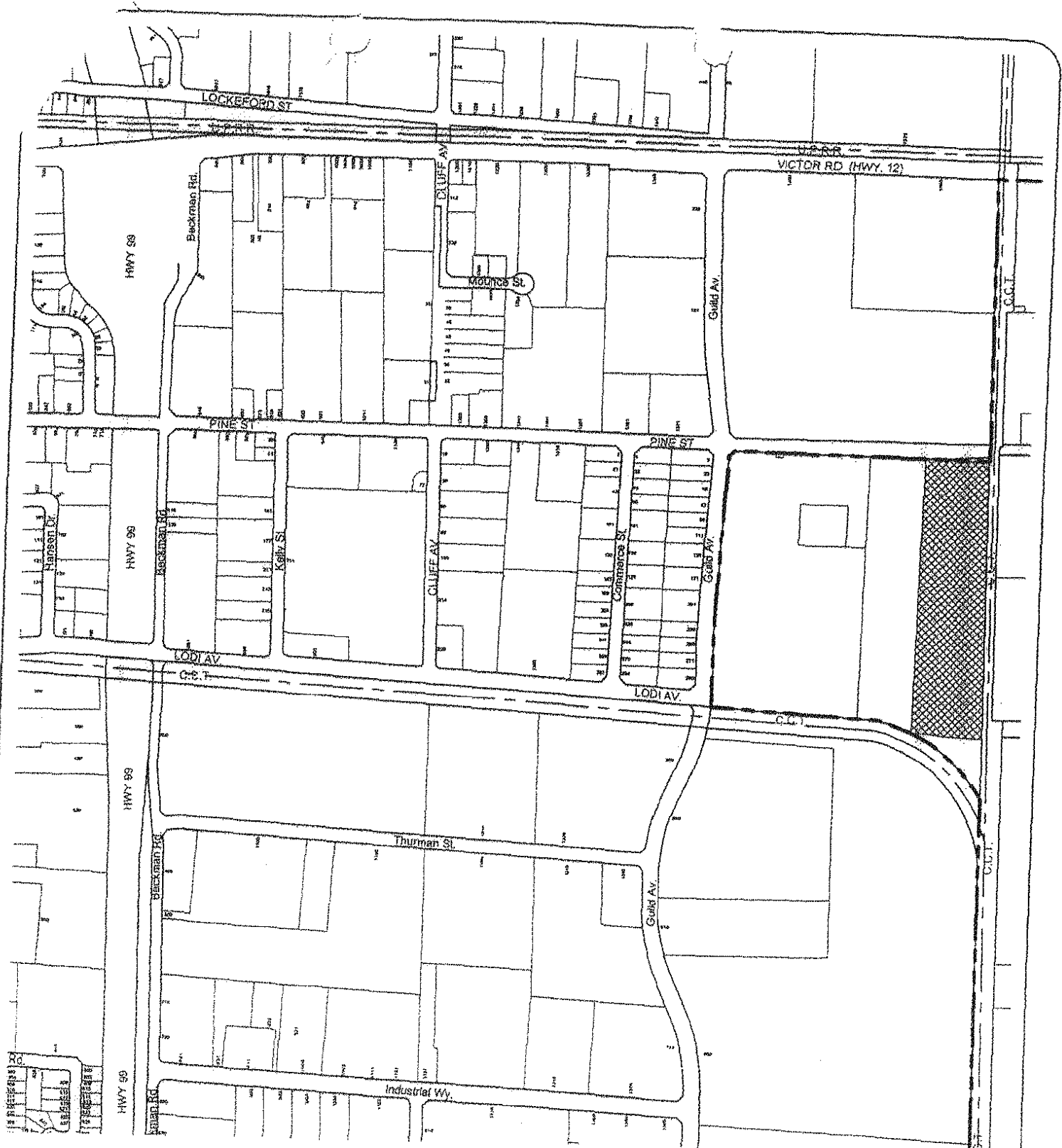
The Galantine Annexation

PROJECT DESCRIPTION

The Galantine Annexation is a proposal to annex, amend the general plan land use designation, and pre-zone a 10-acre property on the south side of East Pine Street, just west of the Central California Traction Line. More specifically, the property is located at 5952 E. Pine Street, at the eastern edge of Lodi, Assessor Parcel Number: (049-090-13).

At present, the subject parcel is in San Joaquin County adjacent to the eastern boundaries of the Lodi City limits. The property has a San Joaquin County General Plan designation of I-L, Limited Industrial Zone, a zone intended to provide for light manufacturing, warehousing, wholesaling, construction contracting and distribution. The County Zoning designation of AU, Agriculture-Urban Reserve is intended to retain in agriculture those areas planned for future urban development in order to facilitate compact, orderly urban development and to assure the proper timing and economical provision of services and utilities.

In order to develop within the City of Lodi, the applicant has applied for an Annexation and for Pre-zoning. When annexed to the City of Lodi, the property will retain the existing City General Plan designation of HI, Heavy Industrial and will be Pre-zoned to the City zoning designation of M-2, heavy industrial, to match the General Plan designation. At present the applicant has not indicated any specific development plan for the property. It is likely that the property will develop with some type of industrial use similar to the other properties in the surrounding area.



VICINITY MAP

Galantine Annexation
Negative Declaration
1552 East Pine Street
ND-03-13



NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN that on
Wednesday, March 17, 2004 at the hour of
7:00 p.m., or as soon thereafter as the mat-
ter may be heard, the City Council will con-
duct a *Public Hearing* at the Carnegie
Forum, 305 West Pine Street, Lodi, to con-
sider the following matter:

a) to consider the Planning Commission's
recommendation of approval to the City
Council for Rezoning for 5952 East Pine
Street; the Rezoning is from San Joaquin
County A-U, Agricultural Urban Reserve to
M-2, Heavy industrial; the request also
includes a recommendation that the City
Council certify Negative Declaration ND-03-
13 as adequate environmental documenta-
tion for the project and initiate annexation of
the property into the City.

Information regarding this item may be
obtained in the office of the Community
Development Department, 221 West Pine
Street, Lodi, California. All interested per-
sons are invited to present their views and
comments on this matter. Written statements
may be filed with the City Clerk at any time
prior to the hearing scheduled herein, and
oral statements may be made at said hear-
ing.

If you challenge the subject matter in court,
you may be limited to raising only those
issues you or someone else raised at the
Public Hearing described in this notice or in
written correspondence delivered to the City
Clerk, 221 West Pine Street, at or prior to the
Public Hearing.

By Order of the Lodi City Council
s: SUSAN J. BLACKSTON
City Clerk

Dated: March 4, 2004

Approved as to form:
s: D. STEPHEN SCHWABAUER
Interim City Attorney
March 6, 2004

--- 6484



CITY OF LODI
Carnegie Forum
305 West Pine Street, Lodi

NOTICE OF PUBLIC HEARING
Date: March 17, 2004
Time: 7:00 p.m.

For information regarding this notice please contact:
Susan J. Blackston
City Clerk
Telephone: (209) 333-6702

EXHIBIT A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on **Wednesday, March 17, 2004** at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a Public Hearing at the Carnegie Forum, 305 West Pine Street, Lodi, to consider the following matter:

a) to consider the Planning Commission's recommendation of approval to the City Council for Rezoning for 5952 East Pine Street; the Rezoning is from San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial; the request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the City

Information regarding this item may be obtained in the office of the Community Development Department, 221 West Pine Street, Lodi, California. All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order of the Lodi City Council:

Susan J. Blackston
City Clerk

Dated: March 4, 2004

Approved as to form:

D. Stephen Schwabauer
Interim City Attorney



DECLARATION OF POSTING

**PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S
RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR
PREZONING FOR 5952 EAST PINE STREET; THE PREZONING IS FROM
SAN JOAQUIN COUNTY A-U, AGRICULTURAL URBAN RESERVE TO M-2,
HEAVY INDUSTRIAL; THE REQUEST ALSO INCLUDES A
RECOMMENDATION THAT THE CITY COUNCIL CERTIFY NEGATIVE
DECLARATION ND-03-13 AS ADEQUATE ENVIRONMENTAL
DOCUMENTATION FOR THE PROJECT AND INITIATE ANNEXATION OF
THE PROPERTY INTO THE CITY**

On Thursday, March 4, 2004 in the City of Lodi, San Joaquin County, California, a copy of a Notice of Public Hearing to consider the Planning Commission's recommendation of approval to the City Council for a Prezoning for 5952 East Pine Street; the Prezoning is from San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial; the request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the City (attached hereto, marked Exhibit "A"), was posted at the following four locations:

Lodi Public Library
Lodi City Clerk's Office
Lodi City Hall Lobby
Lodi Carnegie Forum

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 4, 2004, at Lodi, California.

ORDERED BY:

**SUSAN J. BLACKSTON
CITY CLERK**

Jacqueline L. Taylor, CMC
Deputy City Clerk



Patricia Ochoa
Administrative Clerk

Jennifer M. Perrin, CMC
Deputy City Clerk

EXHIBIT B

APN;OWNER;ADDRESS;CITY;STATE;ZIP
04909013;GALANTINE, RICHARD ;901 S CHEROKEE LN ;LODI ;CA;95240
04912029;ALL STATE PACKERS INC ;PO BOX 350 ;LODI ;CA;95241
04912039;CENTRAL CALIF TRACTION CO ;920 SE QUINCY ;TOPEKA ;KS;66612
04909012;UNIVERSAL MEMOR CENTERS VI INC;5750 E PINE ST ;LODI ;CA;95240
04925004;MEYERS, DONALD E ;5990 E SARGENT RD ;LODI ;CA;95240



*Please immediately confirm receipt
of this fax by calling 333-6702*

CITY OF LODI
P. O. BOX 3006
LODI, CALIFORNIA 95241-1910

ADVERTISING INSTRUCTIONS

SUBJECT: PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR PREZONING FOR 5952 EAST PINE STREET; THE PREZONING IS FROM SAN JOAQUIN COUNTY A-U, AGRICULTURAL URBAN RESERVE TO M-2, HEAVY INDUSTRIAL; THE REQUEST ALSO INCLUDES A RECOMMENDATION THAT THE CITY COUNCIL CERTIFY NEGATIVE DECLARATION ND-03-13 AS ADEQUATE ENVIRONMENTAL DOCUMENTATION FOR THE PROJECT AND INITIATE ANNEXATION OF THE PROPERTY INTO THE CITY

LEGAL AD

PUBLISH DATE: Saturday, March 6, 2004

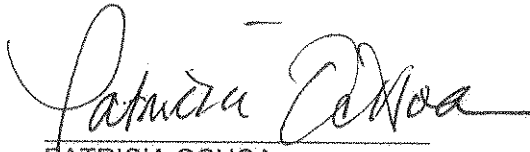
TEAR SHEETS WANTED: Three (3) please

SEND AFFIDAVIT AND BILL TO:

SUSAN BLACKSTON, CITY CLERK
City of Lodi
P.O. Box 3006
Lodi, CA 95241-1910

DATED: THURSDAY, MARCH 4, 2004

ORDERED BY:


PATRICIA OCHOA
ADMINISTRATIVE CLERK

JACQUELINE L. TAYLOR, CMC
DEPUTY CITY CLERK

JENNIFER M. PERRIN, CMC
DEPUTY CITY CLERK

Verify Appearance of this Legal in the Newspaper – Copy to File

PLEASE FAX OVER PROOF OF BORDERED AD. THANK YOU!!

LNS	Faxed to the Sentinel at 369-1084 at <u>3:00</u> (time) on <u>3/4/04</u> (date) <u>2</u> (pages)
	Phoned to confirm receipt of all pages at <u>3:15</u> (time) Jac <u>Tricia</u> Jen (initials)

Dora



DECLARATION OF MAILING

**PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION'S
RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL FOR A
PREZONING FOR 5952 EAST PINE STREET; THE PREZONING IS FROM SAN
JOAQUIN COUNTY A-U, AGRICULTURAL URBAN RESERVE TO M-2, HEAVY
INDUSTRIAL; THE REQUEST ALSO INCLUDES A RECOMMENDATION THAT
THE CITY COUNCIL CERTIFY NEGATIVE DECLARATION ND-03-13 AS
ADEQUATE ENVIRONMENTAL DOCUMENTATION FOR THE PROJECT AND
INITIATE ANNEXATION OF THE PROPERTY INTO THE CITY**

On March 4, 2004, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a Public Hearing to consider the Planning Commission's recommendation of approval to the City Council for Prezoning for 5952 East Pine Street; the Prezoning is from San Joaquin County A-U, Agricultural Urban Reserve to M-2, Heavy Industrial; the request also includes a recommendation that the City Council certify Negative Declaration ND-03-13 as adequate environmental documentation for the project and initiate annexation of the property into the City, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 4, 2004, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK

JENNIFER M. PERRIN
DEPUTY CITY CLERK



PATRICIA OCHOA
ADMINISTRATIVE CLERK